

DOCKET NO. 92-C-074D3 (STMI01-00024)
U.S. SERIAL NO. 09/858,397
PATENT

REMARKS

Claims 17-23, 25, 46-49 and 51-59 are pending in the present application. Claims 17-23, 25 and 58-59 were withdrawn from consideration.

Claim 46 was amended herein.

Reconsideration of the claims is respectfully requested.

35 U.S.C. § 112, Second Paragraph (Definiteness)

Claims 46-49 and 51-57 were rejected under 35 U.S.C. § 112, Second Paragraph as being indefinite for failure to particularly point out and distinctly claim the subject matter that the applicant regards as the invention. This rejection is respectfully traversed.

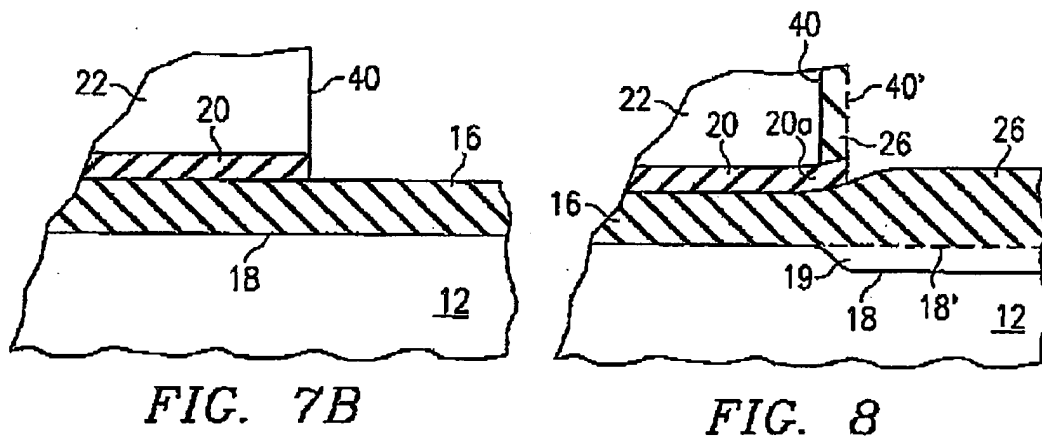
Independent claim 46 has been amended herein to correct the error identified in the Office Action.

The Office Action states:

[T]he instant FIGs. 6-8 expressly shows the uplift 20a is caused by reoxidation of oxide layer 16 and substrate 12, not the polysilicon layer 22 [see paragraph 0023].

Paper No. 20080203, page 3. However, the oxide layer 16 is not "reoxidized." The polysilicon layer 22 is reoxidized, during which time further oxide growth occurs on the exposed portions of the substrate (other than under the gate structure), increasing the thickness of the oxide layer 16:

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Thus the uplift is "caused by" reoxidation of the polysilicon layer within the gate structure, even though the formation of oxide on the exposed surfaces of the polysilicon electrode does not directly produce the uplift.

With respect to the increase in the electric field at the peripheral edge of the gate structure, the Office Action correctly notes that such increase is produced by asperities.

Therefore, the rejection of claims 46-49 and 51-57 under 35 U.S.C. § 112, second paragraph has been overcome.

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If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *dvenglarik@munckbutrus.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication (including any extension of time fees) or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

MUNCK BUTRUS CARTER, P.C.

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